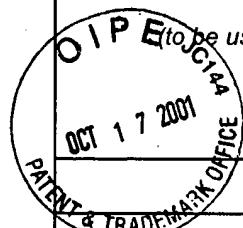


AA Box Sec 8030

TRANSMITTAL FORM



Total Number of Pages in This Submission

Complete if Known	
Application Number	09/815,330
Filing Date	March 23, 2001
First Named Inventor	John A. ZAIA et al.
Examiner Name	Unassigned
Group Art Unit	1646
Total Number of Pages in This Submission	Attorney Docket Number 1954-333

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Preliminary Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Sequence Listing (paper and disk)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input checked="" type="checkbox"/> Response to Notice of Incomplete Reply (Nonprovisional)		REMARKS:
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Martha Cassidy, Reg. No. 44,066			
SIGNATURE		DATE	10/17/01	DEPOSIT ACCOUNT USER ID



**FEE TRANSMITTAL
for FY 2001
(Small Entity)**

		Complete if Known	
		Application Number	09/815,330
		Filing Date	March 23, 2001
		First Named Inventor	John A. ZAIA et al.
		Examiner Name	Unassigned
		Group Art Unit	1646
Total Amount of Payment	(\$720.00)	Attorney Docket Number	1954-333

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.

2. Payment Enclosed:

- Check
- Credit Card

FEE CALCULATION

1. FILING FEE

Fee	Fee	Fee Description	Fee Paid
Code	\$		
201	355	Utility filing fee	[]
206	160	Design Filing Fee	[]
207	245	Plant Filing Fee	[]
208	355	Reissue Filing Fee	[]
214	75	Provisional Filing Fee	[]

SUBTOTAL \$

CLAIMS

Total Claims	Independent Claims	Extra Claims	Fee	Fee Paid
[]	- 20** = []	x \$ 9 = []		
Independent Claims	[]	- 3** = []	x 40 = []	
Multiple Dependent Claims	[]	+ 135 = []		

**or number previously paid, if greater;

SUBTOTAL \$

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
205	65	Surcharge - late filing fee or oath	[]
227	25	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
215	55	Extension for reply within first month	[]
216	195	Extension for reply within second month	[]
217	445	Extension for reply within third month	[]
218	695	Extension for reply within fourth month	[720.00]
228	945	Extension for reply within fifth month	[]
219	155	Notice of Appeal	[]
220	155	Filing a brief in support of an appeal	[]
221	135	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
240	55	Petition to revive -unavoidable	[]
241	640	Petition to revive - unintentional	[]
242	620	Utility issue fee (or reissue)	[]
243	220	Design issue fee	[]
244	300	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
246	355	Filing a submission after final rejection (37 CFR 1.129(a))	[]
249	355	For each additional invention to be examined (37 CFR 1.129(b))	[]
279	355	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing an application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

10/19/2001 ABOONE2 0000033 09815330

01 FC:213

720.00 OP

* Reduced by Basic Filing Fee Paid

SUBTOTAL

\$720.00

SUBMITTED BY		Complete (if applicable)		
NAME AND REG. NUMBER	Martha Cassidy, Reg. No. 44,066			
SIGNATURE		DATE	10/17/01	DEPOSIT ACCOUNT USER ID

1954-333
MC:HR:smt



#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
John A. Zaia) Box Missing Parts
Serial No. 09/815,330)
Filed: March 23, 2001)
For: PROTEIN KINASE DEFICIENT,)
IMMUNOLOGICALLY ACTIVE)
CMVpp65 MUTANTS)

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to a Notice of Incomplete Reply (Nonprovisional) mailed on October 9, 2001, response copy attached, Applicants herein submit a substitute sequence listing in computer readable form and paper copy. It is hereby certified that the sequences contained in this sequence listing are supported by the application as filed and contain no new matter. The sequence

Application No. 09/815,330

information in computer readable form is the same as the written sequence listing.

Respectfully submitted

By:


Martha Cassidy

Attorney for Applicant

Registration No. 44,066

ROTHWELL, FIGG, ERNST & MANBECK, p.c.

Suite 701-E, 555 13th Street, N.W.

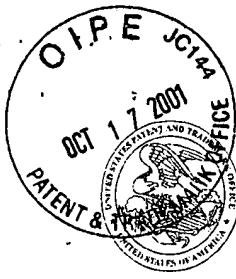
Washington, D.C. 20004

Telephone: (202) 783-6040

Date: 10/17/01

Enclosures: Sequence Listing (Paper and disk)

1954-333.107



UNITED STATES PATENT AND TRADEMARK OFFICE

"Copy"

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,330	03/23/2001	John A. Zaia	1954-333

6449
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
555 13TH STREET, N.W.
SUITE 701, EAST TOWER
WASHINGTON, DC 20004

CONFIRMATION NO. 4689

FORMALITIES LETTER



OC00000006862779

Date Mailed: 10/09/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/29/2001 to the Notice to File Missing Parts (Notice) mailed 05/09/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

RECEIVED/DODCKETING	
ROTHWELL FIGG ERNST & MANBECK	
PH	OCT 10 2001
REFERRED TO <u>EAE</u>	
FILE NO. <u>1954-0333</u>	
OK TO FILE	

A copy of this notice MUST be returned with the reply.

Jelus

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE